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PATENT

Case Docket No. ELITRA.010A

Date: March 16, 2004

*1636*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Haselbeck, et al.  
Appl. No. : 10/032,393  
Filed : December 21, 2001  
For : BACTERIAL PROMOTERS  
AND METHODS OF USE  
Examiner : Nancy S. Vogel  
Group Art Unit : 1636

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

March 16, 2004

(Date)

*[Signature]*  
Jerry L. Hefner, Reg. No. 53,009

TRANSMITTAL LETTER

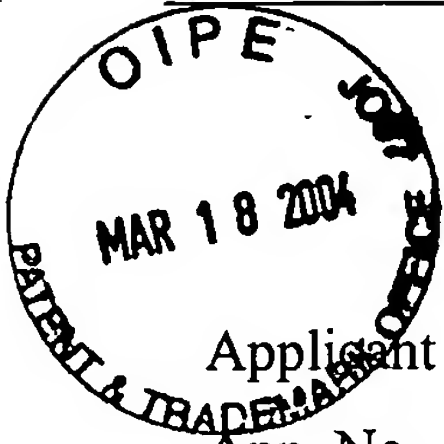
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) A Supplemental Information Disclosure Statement.
- (X) A PTO Form 1449 with two (2) references.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

*[Signature]*  
Jerry L. Hefner  
Registration No. 53,009  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550



## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicant : Haselbeck, et al.  
App. No. : 10/032,393  
Filed : December 21, 2001  
For : BACTERIAL PROMOTERS AND  
METHODS OF USE  
Examiner : Nancy S. Vogel  
Group Art Unit : 1636

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:


Enclosed is form PTO-1449 listing two (2) references that are also enclosed.

This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 16, 2004

By:   
Jerry L. Hefner  
Registration No. 53,009  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
ELITRA.010AAPPLICATION NO.  
10/032,393SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT  
BY APPLICANTAPPLICANT  
Haselbeck, et al.FILING DATE  
December 21, 2001GROUP  
1636

SEVERAL SHEETS IF NECESSARY)

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	1	6,630,321 B1	10/07/03	Schell, et al.			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	2	WO 01/02605 A1	01/11/01	PCT				

EXAMINER  
INITIAL

OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)


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031504

EXAMINER

DATE CONSIDERED

\*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.